

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action: 3:21-cv-00221**

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**

Plaintiff,

and

CHRISTIN SMITH

Plaintiff-Intervenor

v.

MODERN POLYMERS, INC.,

Defendant.

**MOTION TO INTERVENE
Fed. R. Civ. P. 24(a)(1)**

Pursuant to Fed. Rule Civ. Proc. 24(a)(1) and Title VII, 42 U.S.C. §2000-e5(f)(1) Christin Smith (“Plaintiff-Intervenor”), by and through counsel, respectfully moves this Court to intervene as of right in the above-captioned action. In support of this motion, Plaintiff-Intervenor states as follows:

1. The above action was filed by the United States Equal Employment Opportunity Commission (“EEOC”) on May 12, 2021. [Doc. 1].
2. The May 12, 2021, Complaint filed the EEOC identifies Plaintiff-Intervenor as the individual injured by the conduct of the Defendant Modern Polymers, Inc.
3. The EEOC filed their Complaint [Doc. 1] following an investigation of a timely-filed Charge of Discriminaiton by Plaintiff-Intervenor with the EEOC related to the

conduct described in the EEOC Complaint. Plaintiff-Intervenor filed her Charge of Discrimination, through counsel, on April 11, 2019.

4. Pursuant to Fed. Civ. P. 24(a)(1), intervention must be granted if the proposed intervenor is given an unconditional right to intervene by federal statute.

5. Title VII, 42 U.S.C. § 2000e-5(f)(1) expressly grants the persons aggrieved by the conduct of a defendant in an action initiated by the EEOC the unconditional right to intervene in that action.

6. On June 14, 2021, Defendant Modern Polymers, Inc. through counsel, filed their Answer to the EEOC Complaint. [Doc. 4].

7. Discovery has not been served by either party and Rule 26(f) scheduling conference has not yet occurred. No scheduling order governing discovery in this case has been entered at the time of this filing.

8. Counsel for Plaintiff-Intervenor has consulted with counsel for the EEOC, which has authorized the undersigned to represent to the Court that the EEOC has no objection to this motion being granted; counsel for Defendant Modern Polymers, Inc. has been consulted and has no objection to Plaintiff-Intervenor's Motion to Intervene pursuant to Fed. Civ. P. 24(a)(1).

Based on the above and the accompanying brief filed contemporaneously, Plaintiff-Intervenor respectfully requests that the Court grant her Motion to Intervene.

This the 17th day of June 2021.

ATTORNEY FOR PLAINTIFF-
INTERVENOR

/s/Daniel C. Lyon

Daniel C. Lyon (43828)
Elliot Morgan Parsonage, PLLC
Attorneys for Plaintiff
300 Kingston Ave, Suite 200
Charlotte, NC 28203
Telephone: (704) 707-3705
Facsimile: (336) 724-3335
Email: dlyon@emplawfirm.com

CERTIFICATE OF SERVICE

The undersigned attorneys hereby certify that they have on this date served a copy of the foregoing Motion to Intervene with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following parties to this action:

Haynsworth Sinkler Boyd, P.A.

Christopher B. Major, Fed. ID #31663
ONE North Main, 2nd Floor (29601)
P.O. Box 2048
Greenville, S.C. 29602
Telephone: 864.240.3200
Facsimile: 864.240.3300
cmajor@hsblawfirm.com
Attorneys for Defendant Modern Polymers, Inc.

Equal Employment Opportunity Commission (EEOC)

Zoe G. Mahood (21722)
Senior Trial Attorney
Equal Employment Opportunity Commission
Raleigh Area Office
434 Fayetteville Street, Suite 700
Raleigh, NC 27601
Phone: (984) 275-4809
Fax: (919) 856-4151
Email: Zoe.Mahood@eeoc.gov

Attorney for Plaintiff EEOC

/s/Daniel C. Lyon
Daniel C. Lyon
N.C. State Bar No. 43828
Elliot Morgan Parsonage, PLLC
300 E. Kingston Ave, Suite 200
Charlotte, NC 28203
Telephone: 704.707.3705
E-Mail: dlyon@emplawfirm.com